

Dale Farm residents reprieved – for now

Campaigners scupper Basildon council's eviction operation, gaining stay of execution from high court

Alexandra Topping
Johnny Howorth

Residents due to be evicted from the Dale Farm Traveller site yesterday won an 11th-hour reprieve after being granted an emergency injunction restraining Basildon council from clearing structures on the site pending a further hearing at the high court on Friday.

There were cheers from the barricade shortly after 5pm when the news arrived that bailiffs, who were due to begin evicting 86 families from the site built on a former scrapyard, would not be able to enter legally until after the hearing.

The council will also not be able to cut off utilities to the site, something that had concerned residents, who argued that the lives of sick people could be endangered.

Speaking at the high court in London, Mr Justice Edwards-Stuart granted the order because there were concerns that measures carried out by Basildon borough council "may go further" than the terms of the enforcement notices.

The case hinges on the argument that residents have not been sufficiently informed about what is allowed on each pitch, and what must be removed.

Despite the scale of the operation by



Basildon council, which includes a camp to accommodate bailiffs, police, council staff and the hundreds of journalists from around the world covering the case, it took three individuals, without the aid of a lawyer, to put a stop to their plans.

Candy Sheridan, vice-chair of the Gypsy Council of North Norfolk, resident Mary Sheridan and volunteer Stuart Caruthers appeared at three courts yesterday, including the high court, before the injunction was granted.

Speaking after the decision, Sheridan said: "This is a victory for residents who have been shown a glimmer of respect today from a judge who listened to our reasoned arguments."

The leader of the council, Tony Ball, said he was "extremely disappointed and frustrated" by the judge's decision.

"I am absolutely clear that on this issue, on Friday, the court will find in the council's favour and that the site clearance will be able to continue," he said.

"But until then, as always, this council will comply with the law and we will comply with the judgment that has been put before us."

The judge ruled that Basildon council must tell residents on a plot-by-plot basis what enforcement measures are proposed. Residents must respond to the



Waiting games
Above, Traveller girls watch while bailiffs walk toward the Dale Farm settlement to deliver their message; above left, an activist who has chained herself to the site has the lock around her neck adjusted; below, police and bailiffs outside the site yesterday
Main photograph: Adrian Dennis/ AFP/Getty Images



proposals by noon on Thursday. The judge will then decide at 11.30am on Friday if there are any remaining legal issues that could extend the injunction further.

Physical structures including cars and caravans will not be able to be moved by bailiffs and electricity and water will not be cut off unless they pose a danger "to life and limb".

But the judge said further protests – which has included several demonstrators chained to the gates, to concrete blocks and to each other – should be discouraged and that the 20ft (6m) high barricade, festooned with banners of support, should be taken down.

"It is in nobody's interests that we have a riot on this site," he said. "There's got to be a bit of give and take over a limited timeframe to see if the problems can be dealt with in an orderly rather than disruptive way."

Council representatives should be allowed on site to discuss the arrangements with individual residents, he said.

He told the Dale Farm representatives: "I appreciate it is a deeply unpleasant situation but unfortunately this is a road which is reaching its end and there is sadly no mileage in prolonging the agony."

Some protesters were not in favour of bringing down the barricade. "I think it's

tactical on their side and therefore it needs to be tactical on ours," said Carol Stuart McIvor, a writer on the site. "But the decision must be the Travellers'. It's their gig – we are only here to support them."

The council's barrister, Reuben Taylor, told the judge a lengthy delay to the eviction could cause losses to the public purse "running into millions", he said.

Any damages granted would not come "anywhere near" meeting the council's

saw bailiffs jeered as they issued a final warning to protesters and residents.

Bailiffs were called "scum" and "fascists" as they told residents the council was concerned for their safety as a result of the blocking of the site gate.

Tom Berry, a resident at the site, said the injunction was a stay of execution and a relief for families.

"I'm over the moon. Especially for my family and the other residents on here. At the end of the day, we've got another week for them to sort something out for us or somewhere to go to."

He had a personal message for the leader of the council who had, earlier in the day, insisted that delaying tactics from residents were unacceptable. "Tony Ball should go back to school," he said.

Meanwhile, it has emerged that the government refused help from the United Nations to help broker an agreement between the Travellers and the council.

Jan Jarab, the European representative of the UN high commissioner for human rights, said the UN had offered to help negotiate a "less dramatic" solution.

"There was communication between the British government and our headquarters, but it was made clear to us that we would receive a letter that that offer was rejected," he said.

'It is in nobody's interests that we have a riot on this site'

Justice Edwards-Stuart

costs for the thousands of police officers on special duty, compounds, plant hire and bailiffs, he said.

The judge responded that there was "a lack of clarity" as to which properties would be affected and to what extent.

He said: "They are entitled to know whether their home is on the list for permanent removal or not, or whether just a little bit of their plot is to be removed."

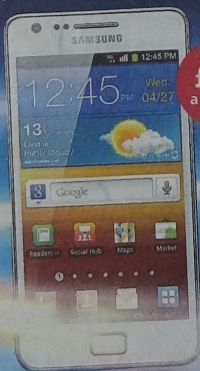
There was delight at Dale Farm as the news came through after a tense day that

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Dale Farm travellers saved by a last-minute injunction, but stay may be only temporary

Fay Schlesinger, Laura Pitel
Alexi Mostrous

A last-minute injunction yesterday prevented the enforced eviction of the Dale Farm travellers' site and held off the bulldozers for at least three days.

The application for the injunction had been kept secret from the camp's 400 residents and 150 activists. It prevents Basildon Council from clearing structures until at least after a full hearing in the High Court on Friday.

Candy Sheridan, of the Gypsy Council, argued that the council had failed to provide individual risk assessments and enforcement notices for the site's 51 pitches.

The local authority said that it did not have the chance to present its case and was "absolutely confident" that the court would find in its favour.

MARY TURNER FOR THE TIMES



Susanna Mitchell-Cotts: "I can't bear anybody being thrown off their land"

Supporters of the Dale Farm residents reacted with joy and some barricades were removed. Yvonne MacNamara, of the Irish Traveller Movement in Britain, said: "It's buying time and people can sleep tonight... but we are not counting our chickens."

Tony Ball, the leader of Basildon Council, said: "We are clearly disappointed and extremely frustrated with today's High Court decision. We will be setting out our case robustly at Friday's hearing, when we are confident that our original position will be upheld. In the meantime we will be complying with the judge's ruling."

Earlier, the atmosphere in the camp was expectant. At 2.53pm a line of 20 bailiffs slipped under the barbed wire and marched towards the site.

Stopping shortly before the fortified gate, a foreman read a statement but was drowned out by cries of "shame on you" and "scum". The bailiffs then turned and walked away.

Many of the 150 or so protesters in the Camp Constant "solidarity campaign", the activists who have been supporting the travellers, come from privileged backgrounds. Those who locked themselves to concrete structures included a millionaire's son and a researcher from the University of Cambridge.

Behind the 15ft gates, barbed wire

and tyre barricades was a small table clothed with yellow gladioli and still and sparkling water. Two well-heeled, middle-aged women who were serving drinks to young men in balaclavas had come to the enclave to support the fight against the bailiffs, as part of a battle that will cost up to £18 million.

Susanna Mitchell-Cotts, 66, the daughter of a Harrow and Oxford-educated baronet who became wealthy through shipping and farming, was one of the two women at the neatly-laid table. She left behind her house in Woodbridge, Suffolk, for a mobile home and is prepared to handcuff herself to scaffolding if necessary.

She said: "I've never been to a protest before, but I just feel so terribly, terribly sorry for them. I can't bear anybody being thrown off their land after so long. I have a son who doesn't know I'm here, but he wouldn't be shocked if he did."

Her friend Olivia Boland, 56, deals in Chinese antiques. She said: "A lot of my colleagues said, 'Don't go, it's going to be violent', and the council said we would be putting ourselves and others at risk. But this is about politicians' incompetence. I'm a Tory voter, but on this matter they should have demonstrated moral courage."

An activist wearing a blue overall and a white dust-mask thanked the women for his barbecued sausage. "I'm here 'cos I really hate bailiffs," he said. "They've come to my family. They come to your house and take away your s***. I don't like kids getting kicked out of their homes." The man, who had a northern accent, said he was aged 20 but did not give his name.

On the front line Dean Puckett, 29, has had his left arm locked inside a concrete-filled barrel since 11.30pm on Sunday. Mr Puckett, a documentary maker who has made films on 9/11 conspiracy theories and the Democracy Village in Parliament Square, is the son of Jeffrey Puckett, a millionaire who owns J&P Plumbing and Heating UK, a large plumbing company based in Fulham, West London, which turned over more than £650,000 last year.

The family home is Lordswood House in Wiltshire, on the outskirts of Malmesbury. It is worth £25 million and plays host to the Beaufort Hunt every December.

"Dean has always been politically minded — what he's doing is his own decision," Mr Puckett told *The Times*. "I'm a working-class East End boy. Yes, I've been lucky in my life, but with that comes the ability to let [my] children follow their own conclusions."

His son said: "The only course of action left to us is... putting our bodies in the way of the bailiffs. You do feel empowered."

The young woman next to him, whose neck was locked to the back of the gates, declined to speak.

Yards away, with her arm locked inside a smashed-up car, was Jessica Wheeler, who graduated with a PhD from Cambridge this year and is carrying out research into the lives of community-based offenders with intellectual disabilities. She initially declined to give her real name, but was recognised by a source outside the site. Dr Wheeler said: "There are not many ways to stop the bailiffs, but this is one. I'm deeply concerned about migrant issues."

Attached to her legs with locks was Josh, 22, originally from Jersey, who has just graduated in theatre construc-

tion from Bristol Old Vic Theatre School. His grandfather was a union leader and his father a long-serving police officer. He said: "It's surreal. There is something medieval [about] the situation, the barricades. I think the Government feels threatened by communities that are autonomous."



Travellers celebrate at the site where 150 activists have taken up their cause



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